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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN JOSE DIVISION
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16 APPLE INC., a California corporation,
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18 Plaintiff,
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20 v.
21 SAMSUNG ELECTRONICS CO., LTD., a
Korean corporation; SAMSUNG
22 ELECTRONICS AMERICA, INC., a New
York corporation; and SAMSUNG
TELECOMMUNICATIONS AMERICA,
LLC, a Delaware limited liability company,
23
24 Defendants.

Case No. 11-cv-01846-LHK (PSG)

**APPLE'S ADMINISTRATIVE
MOTION FOR LEAVE TO FILE
RESPONSE TO SAMSUNG'S
OBJECTIONS TO APPLE'S REPLY
EVIDENCE**

1 Apple requests leave to file a response to Samsung's Objections to Apple's Reply
2 Evidence (Dkt. No. 2147) because while Local Rule 7-3(d)(1) permits a party to object to
3 evidence submitted in a reply brief, it does not mention a response to such objections.

4 A response to Samsung's evidentiary objections is appropriate in view of the importance
5 of the issues. Samsung has objected to three reply declarations and other evidence included in
6 Apple's Replies in Support of its Motion for a Permanent Injunction ("Permanent Injunction
7 Motion") and Motion for Judgment as a Matter of Law ("JMOL Motion"). As explained in
8 Apple's Response attached hereto as Exhibit A, this evidence merely rebuts the evidence and
9 arguments in Samsung's oppositions. Consideration of Apple's response is appropriate to ensure
10 that both sides have an opportunity to address this issue. Indeed, Samsung previously filed a
11 Response to Apple's Objections to Evidence in Samsung's Reply in Support of Non-Jury Claims.
12 (Dkt. No. 2084.) Samsung did not seek leave to file this response, showing that Samsung
13 believes that a response may be filed even without prior leave. As noted in the accompanying
14 declaration of Richard Hung, Samsung has not replied to Apple's request to stipulate to the filing
15 of a response, so Apple has not been able to address this matter by stipulation.

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17 Dated: November 26, 2012

MORRISON & FOERSTER LLP

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20 By: /s/ Michael A. Jacobs

Michael A. Jacobs

21 Attorneys for Plaintiff
22 APPLE INC.
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